

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

RightCHOICE Managed Care, Inc., *et al.*,

Plaintiffs,

v.

Hospital Partners, Inc.; Hospital Laboratory Partners, LLC; Empower H.I.S. LLC; RAJ Enterprises of Central Florida, LLC d/b/a Pinnacle Laboratory Services; Labmed Services, LLC; Serodynamics, LLC; David Byrns; Jorge Perez; James F. Porter, Jr.; Beau Gertz; and Mark Blake,

Defendants.

Civil Action No.
5:18-CV-06037-DGK

PLAINTIFFS' MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL

Plaintiffs, by and through undersigned counsel and in accordance with the Court's CM/ECF Civil and Criminal Administrative Procedures Manual and Users Guide, respectfully move the Court for leave to file a document under seal.

In support of this Motion, Plaintiffs state as follows:

1. On September 21, 2021, Plaintiffs intend to file their Offer of Proof Regarding Admission of Selected Portions of the Missouri Auditor's Report (Plaintiffs' 'Offer of Proof'). Portions of Plaintiffs' Offer of Proof discuss content derived from documents that have been designated "Confidential" or "Highly Confidential" pursuant to the HIPAA Qualified Protective Order. (Dkt. 261.) To ensure that such information is protected and not made publicly available, Plaintiffs request leave to file a complete, un-redacted version of their Offer of Proof and the exhibit thereto under seal.

2. In accordance with the Court's CM/ECF Civil and Criminal Administrative Procedures Manual and Users Guide, Plaintiffs' counsel will e-mail the proposed sealed documents, together with a proposed Order granting leave to file the same under seal, to the courtroom deputy.

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request that the Court grant their Motion for Leave to File Document Under Seal.

Dated: September 21, 2021

By: /s/ Michael L. Jente

LEWIS RICE LLC

Neal F. Perryman, MO Bar #43057
Michael L. Jente, MO Bar #62980
600 Washington Avenue, Suite 2500
St. Louis, Missouri 63101
T: (314) 444-7600
nperryman@lewisrice.com
mjente@lewisrice.com

-and-

ROBINS KAPLAN LLP

Jeffrey S. Gleason (admitted PHV)
Munir R. Meghjee (admitted PHV)
Jason W. Pfeiffer, MO Bar # 50104
Nathaniel J. Moore (admitted PHV)
Jaime J. Wing (admitted PHV)
J. Haynes Hansen (admitted PHV)
800 LaSalle Avenue, Suite 2800
Minneapolis, Minnesota 55402
T: (612) 349-8500
F: (612) 339-4181
jgleason@robinskaplan.com
mmeghjee@robinskaplan.com
jpfeiffer@robinskaplan.com
nmoore@robinskaplan.com
jwing@robinskaplan.com
hhansen@robinskaplan.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically with the United States District Court for the Western District of Missouri, through the Court's CM/ECF system, on the 21st day of September 2021, with notice of case activity sent to counsel of record, and further certify that Plaintiffs' Offer of Proof and the exhibit thereto were served on counsel of record via email the same day.

/s/ Michael L. Jente